

29 September 1999

FIRST ENDORSEMENT on One-Man Formal Investigation Report dated 16 September 1999

From: Commander, Thirteenth Coast Guard District

To: Commandant (G-MOA)

Subj: INVESTIGATION INTO THE CIRCUMSTANCES SURROUNDING THE GROUNDING OF THE MOTOR VESSEL NEW CARISSA, LLOYD'S NUMBER L8716136, OFF COOS BAY, OREGON, ON 04 FEBRUARY 1999, WITH MAJOR POLLUTION AND NO PERSONNEL INJURIES OR LOSS OF LIFE

1. Forwarded approved.
2. The development of safe anchoring practices along the coastline is an excellent subject on which to initiate some form of "harbor safety committee" with the maritime industry of Coos Bay. Marine Safety Office Portland already has a very active harbor safety committee, i.e., the Ports and Waterways Safety Committee. This committee is open to discussion of, and action on, matters pertaining to waterways throughout the unit's area of responsibility, i.e., Oregon and southern Washington. However, the committee places heavy emphasis on the Columbia River system that supports the great majority of maritime activity in the region. The Ports and Waterways Safety Committee currently meets quarterly, generally in Portland, and is led by the Captain of the Port staff. The Captain of the Port is considering more emphasis on small coastal ports. The first step is to determine the demand for such emphasis in a port such as Coos Bay that supports a small maritime industry, and now receives only a few deep-draft ships per month. A more formal Harbor Safety Committee should improve the relationship among key players, enabling significant improvements in marine safety.
3. With respect to the investigating officer's Conclusion 11, I do not believe the facts and circumstances contributing to the grounding in this case rise to a level of criminal liability. I do not intend to refer this matter to the U.S. Attorney for criminal prosecution. I am aware that the U.S. Attorney had initiated an independent investigation of this incident at the time it occurred. The U. S. Attorney's independent investigation did create some confusion in evidence control and preparation which, to a degree, complicated and frustrated the Coast Guard investigation into the cause of this casualty. The matter of environmental crimes is currently under joint review by the Coast Guard and the Department of Justice to better coordinate our responsibilities in the future. We continue to work closely with the offices of the local U.S. Attorney to improve coordination and liaison in investigation of environmental crimes.
4. Regarding recommendation number 4, to better define Oregon pilotage waters, I recommend that a copy of this investigation be forwarded to the Oregon Board of Maritime Pilots when approved. We will work with the Board to see that this matter is addressed.
5. Regarding recommendations 5, 6, and 7, the Officer in Charge, Marine Inspection, Portland will open violation cases to further consider civil penalty actions.

PAUL M. BLAYNEY